IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

APPEAL FROM ORDER No 473 of 2000

For Approval and Signature:

HON'BLE MR.JUSTICE K.S.JHAVERI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

FAKRUDDIN ABDUL ALI @ ABDULLABHAI

Versus

AHMED RASUL GULAM

Appearance:

1. Appeal from Order No. 473 of 2000

MRS KETTY A MEHTA for Appellant No.

MR RM CHHAYA for Respondent No. 1-3

CORAM : HON'BLE MR.JUSTICE K.S.JHAVERI

Date of decision: 13/01/2005

ORAL JUDGEMENT

1. The appellant has preferred this appeal from order against the order dated 15/11/2000 passed below application Exh.5 by the learned Civil Judge (S.D.),

Surat, in Regular Civil Suit No.226 of 2000.

2. While admitting this Appeal from Order, this Court in Civil Application No.11612 of 2000 had directed the parties to maintain status quo in respect of the suit property. Now, since status quo is operating since 2000, it would be appropriate to direct the parties to maintain status quo, till the suit pending before the said Court is finally disposed of.

3. I have heard learned counsel for the parties and have perused the relevant documents on record. In view of the facts and circumstances of the case, I am of the opinion that ends of justice would be met if the trial Court is directed to expedite the hearing of the said suit since the suit is of the year 2000.

4. Therefore, without entering into the merits of the matter, the trial Court is directed to hear and dispose of Regular Civil Suit No.226 of 2000 pending before the Court of the learned Civil Judge (S.D.), Surat, as expeditiously as possible and preferably within a period of two years from the date of receipt of writ of this order.

5. With the above observations and directions, the Appeal from Order stands disposed of. Parties are directed to maintain status quo till the said suit is finally disposed of.

[K. S. JHAVERI, J.]
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